

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ALEXANDRA CAMILLE EADES,)	
)	
Movant,)	
)	No. 3:09-00539
v.)	(Crim. No. 3:06cr00144-25)
)	JUDGE HAYNES
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

The Court has before it a motion for federal *habeas corpus* relief filed by a *pro se* prisoner pursuant to 28 U.S.C. § 2255. (Docket Entry No. 1) Movant is a prisoner in the Danbury Federal Correctional Institution in Danbury, Connecticut.

Under Rule 4(b), Rules – Section 2255 Proceedings, the Court is required to examine a § 2255 motion to ascertain as a preliminary matter whether “it plainly appears from the motion, any attached exhibits, and the record of prior proceedings that the moving party is not entitled to relief” If the moving party “is not entitled to relief, the judge must dismiss the motion” *Id.*

As provided in the Memorandum filed herewith, the motion and record of prior proceedings clearly show that Movant is not entitled to relief. Accordingly, the motion (Docket Entry No. 1) is **DENIED**, and this action is **DISMISSED**. Rule 8(a), Rules – § 2255 Proceedings.

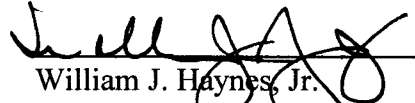
Should Movant file a notice of appeal, such notice shall be docketed as both a notice of appeal and an application for a certificate of appealability (COA). *Slack v. McDaniel*, 529 U.S. 473, 483 (2000); Rule 22(b), Fed. R. App. P. For the reasons explained in the accompanying memorandum, a COA will **NOT** issue. See 28 U.S.C. § 2253(c)(2); *Slack*, 529 U.S. 483-84; *Castro v. United States of America*, 310 F.3d 900, 901 (6th Cir. 2002)(citing *Lyons v. Ohio Adult Parole*

Auth., 105 F.3d 1063, 1072 (6th Cir. 1997) and *Murphy v. Ohio*, 263 F.3d 466, 467 (6th Cir. 2001)).

Entry of this order shall constitute the judgment in this action.

It is so **ORDERED**.

ENTERED this the 18th July, 2009.


William J. Haynes, Jr.
United States District Judge